

KOPELEVICH & FELDSHEROVA, P.C.

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* Also admitted in New Jersey

May 9, 2020

VIA E-FILING

MAGISTRATE JUDGE STEVEN M. GOLD
United States District Court
Eastern District of New York
225 Cadman Plaza East
Chambers 1217, Courtroom 13-D
Brooklyn, New York 11201

Re: *Cunningham v. Smoke Alarm Monitoring, Inc., et al.*, Civil Case No. 2:19-cv-07032 (FB)(SMG)

Dear Magistrate Judge Gold:

We represent the plaintiff in the above-referenced matter. This letter is submitted pursuant to the Order issued by this Court at a telephone conference that took place on March 25, 2020. At the conference, Plaintiff appeared by the undersigned, Defendant Smoke Alarm Monitoring Inc. appeared by Thomas Williams, Esq., who was not admitted to practice before this Court, and Defendants Yasha Marketing, LLC and Daniel Feldman appeared by Daniel Feldman. It is unclear whether Defendant Kenneth Mara appeared at the conference because Mr. William did not indicate that he was representing Mr. Mara. Mr. Williams also denied such representation when speaking to the undersigned at the end of the conference.

At the conference, Plaintiff advised the Court that Defendants Smoke Alarm and Kenneth Mara were in default. However, the Court, in light of current pandemic, granted Mr. Williams' request for extension of time to get admitted to practice before this Court and file an answer. Thus, Defendant Smoke Alarm was ordered to file an answer by April 8, 2020. The parties were also ordered to "...SUBMIT A JOINT LETTER BY MAY 9 INDICATING WHETHER THEY ARE LIKELY TO REACH A SETTLEMENT AND, IF NOT, PROPOSING A CASE MANAGEMENT SCHEDULE."

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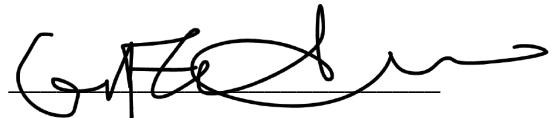
Immediately following the telephone conference, on March 25, 2020, the undersigned contacted Mr. Williams at twwesq@optonline.net, the email address he provided at the end of the telephone conference, to discuss the case. Mr. Williams replied stating that he would get back to the undersigned after he gets admitted to practice at this court. The undersigned did not hear from Mr. Williams after that.

On or about April 21, 2020, Defendants Yasha Marketing, LLC and Daniel Feldman finalized settlement of Plaintiff's claims against them. The parties submitted a stipulation of dismissal to the Court and the Court ordered a dismissal of Plaintiff's claims as against those defendants. (EFC Doc. 14).

On or about April 29, 2020, in anticipation of the deadline set by the Court at the telephone conference on March 25, 2020, the undersigned contacted Mr. Williams again, at the same email address, following up on the previous email and inquiring whether he wishes to discuss the case. The undersigned has not received any reply. A copy of both emails are attached hereto as Exhibit A.

As of today, neither Smoke Alarm Monitoring, Inc. nor Kenneth Mara appeared and answered in this matter. Thus, Plaintiff intends to move for a default judgment against those defendants.

Respectfully,



Galina Feldsherova (GF-7882)